



Order Filed on January 18, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2C

Rob Saltzman, Esquire
Pluese, Becker & Saltzman, LLC
RS1765
20000 Horizon Way, Suite 900
Mount Laurel, NJ 08054-4318
(856) 813-1700
Attorneys' for the Mortgagee
File No. 083071B

In Re:

Kenneth G. McNeil

Case No.: 15-14218-MBK

Hearing Date: January 19, 2017

Judge: Michael B. Kaplan

**CONSENT ORDER
RESOLVING OBJECTION TO CONFIRMATION**

The relief set forth on the following pages, numbered two (2) through (3) is hereby **ORDERED**.

DATED: January 18, 2017

A handwritten signature of Michael B. Kaplan in black ink, written over a horizontal line.
Honorable Michael B. Kaplan
United States Bankruptcy Judge

Page 2

Debtor: Kenneth G. McNeil

Case No: 15-14218-MBK

Caption of Order: Consent Order Resolving Objection to Confirmation

This matter having come before the Court on the Objection of Nationstar Mortgage, LLC, servicer for U.S. Bank National Association, as Trustee, successor in interest to Wilmington Trust Company, as Trustee, successor in interest to Bank of America National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for Lehman XS Trust Mortgage Pass-Through Certificates, Series 2007-14H, (“Nationstar Mortgage, LLC” or the “Mortgagee”), by and through counsel, Pluese, Becker & Saltzman, LLC, Rob Saltzman, Esquire, appearing and the Debtor, by and through counsel, Scott E. Kaplan, LLC, Scott E. Kaplan, Esquire, having consented hereto and good cause having been shown;

IT IS HEREBY UNDERSTOOD, AGREED, STIPULATED AND ORDERED AS FOLLOWS:

1. The Parties agree that the Debtor's property located at 251 Woodlawn Avenue, Trenton, NJ 08609 (the “Subject Property”) shall be valued at \$42,500 for purposes of the within Chapter 11 Plan of reorganization.
2. The Mortgagee’s claim, including the post-Petition escrow, shall be paid in the sum of \$42,500 plus interest at 5% projected over a ten year period (120 months) for a total payoff amount of \$54,093 with monthly payments of \$451. The Debtor shall commence payments in February 1, 2017. Once all of the required payments have been tendered, the loan should be paid in full in February 2027. All amounts still outstanding upon the maturity date under this agreement will be due and owing in full on the maturity date.

Page 3

Debtor: Kenneth G. McNeil

Case No: 15-14218-MBK

Caption of Order: Consent Order Resolving Objection to Confirmation

3. The Debtor shall be responsible for paying the post-Petition escrow advances in the amount of \$5,970.66 to the Mortgagee immediately upon the effective date of the Chapter 11 Plan.

4. The loan will no longer be an escrowed loan and the Debtor shall be responsible for maintaining all property taxes and hazard insurance premium payments and shall provide contemporaneous proof of such payments.

5. The Debtor shall tender payments directly to the Mortgagee at the following address: Nationstar Mortgage, LLC, ATTN: Bankruptcy Dept., PO Box 619094, Dallas, TX 75261-9741.

6. The Mortgagee has relief from the automatic stay as to the Subject Property upon the effective date of confirmation of Debtor's Chapter 11 Plan.

7. The Mortgagee agrees to vote for Debtor's Chapter 11 Plan provided the Debtor has complied with all provisions of this agreement.

8. In the event this reorganization is successfully completed, and upon the conclusion of this Chapter 11 reorganization, satisfaction of the Allowed Secured "crammed down" Claim, and contingent upon compliance with all terms and conditions hereof, subsequent Orders of the Court, and applicable law, then the Mortgagee shall discharge of record their Mortgage.

Page 4

Debtor: Kenneth G. McNeil

Case No: 15-14218-MBK

Caption of Order: Consent Order Resolving Objection to Confirmation

9. Events of default hereunder, entitling the Mortgagee to all available remedies, shall be deemed to include, without limitation, the following:

- a. Dismissal of this Chapter 11 case for any reason, or failure to otherwise or comply with the terms of the confirmed Chapter 11 Plan.
- b. Entry of an Order for Relief from the Automatic Stay in favor of the Mortgagee or the holder of any interest superior to that of the Mortgagee.
- c. Conversion of this case to one under Chapter 7 of the U.S. Bankruptcy Code;
- d. Failure of Debtor to remedy any default hereunder after 15 days written notice to Debtor and Debtor's counsel of same and opportunity to cure have expired.

10. It is expressly understood, agreed, stipulated, and Ordered that this Settlement shall be and the same hereby is binding in the Debtor's pending reorganization only and, in the event of an uncured delinquency or default, the Settlement is voidable at the Mortgagee's option in the Mortgagee's exclusive and unrestricted discretion. It is further expressly understood, agreed, stipulated and Ordered that no Judicial determination(s) or finding(s) on the merits of the allegations contained in the Settlement, have been made, and the circumstance that the Mortgagee has consented to their defaulting Borrower only, shall not operate to limit, prejudice, preclude, estop, or otherwise restrict the Mortgagee's rights to enforce the Mortgage in any other proceedings.

11. Failure of the Debtor to satisfy any of the aforesaid conditions, jointly, severally and/or in the alternative, renders this Stipulation null and void and returns Beneficial to its pre-Petition status as

Page 5

Debtor: Kenneth G. McNeil

Case No: 15-14218-MBK

Caption of Order: Consent Order Resolving Objection to Confirmation

a Secured Creditor holding a First Mortgage lien encumbering the Debtor's Subject Property with
all rights afforded it under applicable law.

PLUESE, BECKER & SALTZMAN, LLC

SCOTT E. KAPLAN, LLC

By: /s/ Rob Saltzman
Rob Saltzman, Esquire
Attorneys for the Mortgagee

By: /s/ Scott Eric Kaplan
Scott Eric Kaplan, Esquire
Attorney for the Debtor

In re:
Kenneth G McNeil
Debtor

Case No. 15-14218-MBK
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

Date Rcvd: Jan 18, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 20, 2017.

db +Kenneth G McNeil, 52 S. Olden Avenue, Trenton, NJ 08609-1524

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 20, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 18, 2017 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor BANK OF AMERICA, N.A. AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT RELATING TO IMPAC SECURED ASSETS et.al. nj.bkecf@fedphe.com
Brian E Caine on behalf of Creditor Wilmington Savings Fund Society, et al bcaine@parkermccay.com, BKcourtnotices@parkermccay.com
Denise E. Carlon on behalf of Creditor U.S. Bank, National Association, not in its individual capacity but solely as Trustee for the RMAC Trust Series 2016-CTT dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor U.S. Bank National Associatio, Et Al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT RELATING TO IMPAC SECURED ASSETS et.al. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jeffrey M. Sponder on behalf of U.S. Trustee United States Trustee jeffrey.m.sponder@usdoj.gov, jeffrey.m.sponder@usdoj.gov
Jeffrey M. Sponder on behalf of U.S. Trustee U.S. Trustee. jeffrey.m.sponder@usdoj.gov, jeffrey.m.sponder@usdoj.gov
Jennifer R. Gorchow on behalf of Creditor OCWEN LOAN SERVICING, LLC, AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR RESIDENTIAL ASSET SECURITIZATION TRUST SERIES 2005-A15 MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2005-0 nj.bkecf@fedphe.com
Jerome B. Blank on behalf of Creditor BANK OF AMERICA, N.A. AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT RELATING TO IMPAC SECURED ASSETS et.al. nj.bkecf@fedphe.com
Jerome B. Blank on behalf of Creditor OCWEN LOAN SERVICING, LLC, AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR RESIDENTIAL ASSET SECURITIZATION TRUST SERIES 2006-A4 MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-D nj.bkecf@fedphe.com
John D. Krohn on behalf of Creditor OCWEN LOAN SERVICING, LLC nj.bkecf@fedphe.com
John D. Krohn on behalf of Creditor DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT RELATING TO IMPAC SECURED ASSETS CORP., MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-5 nj.bkecf@fedphe.com
John Philip Schneider on behalf of Creditor WELLS FARGO BANK, N.A. D/B/A AMERICAS SERVICING COMPANY nj.bkecf@fedphe.com
John Philip Schneider on behalf of Creditor WELLS FARGO BANK, N.A. nj.bkecf@fedphe.com
John Philip Schneider on behalf of Creditor OCWEN LOAN SERVICING, LLC nj.bkecf@fedphe.com
John Philip Schneider on behalf of Creditor OCWEN LOAN SERVICING, LLC, AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR RESIDENTIAL ASSET SECURITIZATION TRUST SERIES 2006-A4 MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-D nj.bkecf@fedphe.com
John Philip Schneider on behalf of Creditor BANK OF AMERICA, N.A. AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT RELATING TO IMPAC SECURED ASSETS et.al. nj.bkecf@fedphe.com

District/off: 0312-3

User: admin
Form ID: pdf903

Page 2 of 2
Total Noticed: 1

Date Rcvd: Jan 18, 2017

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

John Philip Schneider on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, servicer for U.S. Bank National Association, as Trustee for J.P. Morgan Mortgage Trust 2007-S2 nj.bkecf@fedphe.com
Joseph Garibyan on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION joegaribyan@gmail.com
Joshua I. Goldman on behalf of Creditor Nationstar Mortgage LLC jgoldman@kmlawgroup.com, bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor U.S. Bank National Association, Et Al... jgoldman@kmlawgroup.com, bkgroup@kmlawgroup.com
Melissa N. Licker on behalf of Creditor Specialized Loan Servicing, LLC, as servicing agent for U.S. Bank National Association, as Trustee, for JPMorgan Mortgage Trust 2007-S2 Mortgage Pass-through Certificates NJ_ECF_Notices@buckleymadole.com
Melissa N. Licker on behalf of Creditor Nationstar Mortgage LLC NJ_ECF_Notices@buckleymadole.com
Patrick O. Lacsina on behalf of Creditor Seterus, Inc. as authorized Subservicer for Federal National Mortgage Association (Fannie Mae), Creditor c/o Seterus, Inc. gshasa@rasnj.com, bmusarra@rasnj.com, bkyecf@rasflaw.com, legerman@rasnj.com
Patrick O. Lacsina on behalf of Creditor Seterus, Inc. as the authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), creditor c/o Seterus, Inc. gshasa@rasnj.com, bmusarra@rasnj.com, bkyecf@rasflaw.com, legerman@rasnj.com
Robert P. Saltzman on behalf of Creditor Nationstar Mortgage LLC dnj@pbslaw.org
Robert P. Saltzman on behalf of Creditor Seterus, Inc. as the authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), creditor c/o Seterus, Inc. dnj@pbslaw.org
Robert P. Saltzman on behalf of Creditor Wilmington Savings Fund Society, et al dnj@pbslaw.org
Robert P. Saltzman on behalf of Creditor Rushmore Loan Management Services, servicer for Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Carlsbad Funding Mortgage Trust dnj@pbslaw.org
Scott E. Kaplan on behalf of Debtor Kenneth G McNeil scott@sekaplanlaw.com, felisha@sekaplanlaw.com, sekparalegal@gmail.com
Steven Eisenberg on behalf of Creditor Ocwen Loan Servicing, LLC, as servicer for Deutsche Bank National Trust Company, as Trustee for American Home Mortgage Asset Trust 2007-3, Mortgage-Backed Pass-Through Certificates Series 2007-3 bkecf@sterneisenberg.com, jmcnally@sterneisenberg.com; skelly@sterneisenberg.com; bkecf@sterneisenberg.com
Steven K. Eisenberg on behalf of Creditor DEUTSCHE BANK NATIONAL TRUST COMPANY bkecf@sterneisenberg.com, jmcnally@sterneisenberg.com; skelly@sterneisenberg.com; bkecf@sterneisenberg.com
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov
United States Trustee USTPRegion03.NE.ECF@usdoj.gov
Warren S. Jones, Jr. on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION wsjonesesq@verizon.net, bestcasewsj@gmail.com

TOTAL: 35